EXHIBIT C

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TODD C. BANK, Individually and on Behalf of All Others Similarly Situated, *Plaintiff,* -against- INDEPENDENCE ENERGY GROUP LLC, and INDEPENDENCE ENERGY ALLIANCE LLC, *Defendants.*	1:12-cv-01369-JG-VMS **PLAINTIFF'S RESPONSE TO DEFENDANTS' FIRST SET OF REQUESTS FOR ADMISSIONS**

Plaintiff, Todd C. Bank, hereby responds to Defendants' First Set of Requests for Admissions of Documents pursuant to Fed. R. Civ. P. 36 as follows:

GENERAL STATEMENTS

1. In responding to these Requests for Admissions, Plaintiff does not waive any rights to object to any order related to discovery in this action.

2. Plaintiff continues to search for information responsive to Defendants' Requests, and therefore reserves the right to supplement its responses to each Request with documents as such documents become available, subject to all applicable objections.

3. By responding to any Request, Plaintiff does not concede the materiality of the subjects to which it refers. The Responses made herein are made expressly subject to, and without waiving or intending to waive, any questions or objections as to competency, relevancy, materiality, privilege, or admissibility as evidence or for any other purpose, of any of the documents produced, in any proceeding including trial of this action.

4. Inadvertent production of any information that is privileged, or is otherwise immune from discovery, shall not constitute a waiver of any privilege or of any other ground for objecting

to discovery with respect to such document or the information contained in the document, or Plaintiff's right to object to the use of any such document during any proceeding in this litigation or otherwise.

GENERAL OBJECTIONS

1. Plaintiff objects to each Definition and Request to the extent that it requires Plaintiff to produce information in the possession of persons over whom Plaintiff has no control.

2. Plaintiff objects, pursuant to Fed. R. Civ. P. 26(b)(1), to each Definition and Request to the extent that it seeks disclosure of privileged information.

3. Plaintiff objects, pursuant to Fed. R. Civ. P. 26(b)(1), to each Definition and Request to the extent that it seeks information that is irrelevant to the subject matter of this action or is not reasonably calculated to lead to the discovery of admissible evidence.

4. Plaintiff objects, pursuant to Fed. R. Civ. P. 26(b)(2), to each Definition and Request to the extent that it information that is unreasonably cumulative or duplicative.

5. Plaintiff objects, pursuant to Fed. R. Civ. P. 26(b)(3), to each Definition and Request to the extent that it seeks disclosure of attorney's work product or trial-preparation material.

6. Plaintiff objects to each Definition and Request to the extent that it is ambiguous, vague, or otherwise incomprehensible.

7. Plaintiff objects to each Definition and Request to the extent that it concerns the time period prior to January 17, 2011, or after January 17, 2012, and responds to each Request subject to this objection.

RESPONSES AND OBJECTIONS

Request No. 1: The Subject Telephone Number is (718) 520-7125.

Response to Request No. 1: Admitted.

Request No. 2: The Subject Telephone Number is the same telephone number used by Plaintiff in connection with his law practice.

Response to Request No. 2: Admitted.

Request No. 3: The Subject Telephone Number is identified by Plaintiff as his law office number in all pleadings, court filings and professional correspondence generated by Plaintiff in his law practice.

Response to Request No. 3: Admitted.

Request No. 4: The Subject Telephone Number is on Plaintiff's business cards.

Response to Request No. 4: Admitted.

Request No. 5: Plaintiff provides the Subject Telephone Number to clients, prospective clients, other attorneys, other businesses, and business contacts in connection with Plaintiff's law practice.

Response to Request No. 5: Admitted.

Request No. 6: The Subject Telephone Number is identified as Plaintiff's professional office number in the New York Lawyers Diary and Manual.

Response to Request No. 6: Plaintiff cannot truthfully admit or deny this Request because Plaintiff does not know whether the Subject Telephone Number is identified as Plaintiff's professional office number in the New York Lawyers Diary and Manual.

Request No. 7: The Subject Telephone Number is identified as Plaintiff's professional office number in Martindale Hubble.

Response to Request No. 7: Plaintiff cannot truthfully admit or deny this Request because Plaintiff does not know whether the Subject Telephone Number is identified as Plaintiff's professional office number in Martindale Hubble.

Request No. 8: The Subject Telephone Number is identified as Plaintiff's professional office number on Avvo.

Response to Request No. 8: Plaintiff cannot truthfully admit or deny this Request because Plaintiff does not know whether the Subject Telephone Number is identified as Plaintiff's professional office number on Avvo.

Request No. 9: The Subject Telephone Number is identified as Plaintiff's professional office number on FindLaw.

Response to Request No. 8: Plaintiff cannot truthfully admit or deny this Request because Plaintiff does not know whether the Subject Telephone Number is identified as Plaintiff's professional office number on Findlaw.

Request No. 10: The Subject Telephone Number is identified as Plaintiff's professional office number in the Yellowbook.

Response to Request No. 10: Plaintiff cannot truthfully admit or deny this Request because Plaintiff does not know whether the Subject Telephone Number is identified as Plaintiff's professional office number in the Yellowbook because, as far as Plaintiff knows, there are many publications, both online and in print, that use the term "Yellowbook." However, with respect to any official Yellowbook that is produced online or in print by the telephone-service provider of the Subject

Telephone Number, this Request is denied.

Request No. 11: The Subject Telephone Number is identified as Plaintiff's professional office number on Plaintiff's website.

Response to Request No. 11: Plaintiff objects based upon General Objection Nos. 3 and 7.

Request No. 12: The Subject Telephone Number is identified as Plaintiff's professional office number in Plaintiff's written and/or online advertising and marketing information about his law practice.

Response to Request No. 12: Denied.

Request No. 13: The Subject Telephone Number was provided by Plaintiff to the New York State Bar in connection with his attorney registration.

Response to Request No. 13: Admitted.

Request No. 14: Plaintiff is aware of other directories or listings where the Subject Telephone Number is identified as Plaintiff's professional office number.

Response to Request No. 14: Admitted.

Request No. 15: Prior to responding to these requests for admission, Plaintiff has taken no action to have the Subject Telephone Number removed from any professional listing or business directories.

Response to Request No. 15: Admitted.

Request No. 16: Plaintiff files tax returns for his law practice which identify his address at 119-40 Union Turnpike, Fourth Floor, Kew Gardens, New York 11415 and the Subject Telephone Number as his professional office contact information.

Response to Request No. 16: Admitted.

Request No. 17: Plaintiff treats expenses related to his apartment at 119-40 Union Turnpike, Fourth Floor, Kew Gardens, New York 11415 as a business and/or tax deduction on his personal tax returns.

Response to Request No. 17: Denied.

Request No. 18: Plaintiff treats expenses related to the Subject Telephone Number as a business and/or tax deduction on his personal tax returns.

Response to Request No. 18: Admitted.

Dated: November 12, 2014

s/ Todd C. Bank

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